

During the 2021 General Session, at least 25 bills were drafted and numbered that sought to make changes to police training and policies.<sup>1</sup> Ultimately, 18 such bills were passed and signed by the governor. This emphasis on seeking legislative responses to issues related to policing is by no means unique to Utah. According to the National Conference of State Legislatures, more than 2,000 bills related to policing were proposed across all 50 states in the past year.<sup>2</sup>

The 18 bills that passed can be sorted broadly into three basic categories: bills that made changes to standards and training practices, bills that emphasized data collection and procedural transparency, and bills that strengthened resources for managing the intersection of mental health concerns and public safety. Below, each bill is listed with a brief summary and sorted according to its broader category.

## Standards and Training

### H.B. 62 – POST Certification Amendments

Adds the following grounds to the Peace Officer Standards and Training Council's authority to issue a Letter of Caution or suspend or revoke the certification of a peace officer:

- conduct involving dishonesty or deception; or
- the officer is found by a court or by a law enforcement agency to have knowingly engaged in certain biased or prejudicial conduct.

This bill also modifies when separations from an employer must be reported to the division.

### H.B. 162 – Peace Officer Training Amendments

Requires a peace officer's annual training to include training on mental health and other crisis intervention responses, arrest control, and de-escalation. Under the provisions of the bill, each law enforcement agency or department shall set standards for training to be approved by the director or the director's designee.

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<sup>1</sup> The National Conference of State Legislatures tracked 27 bills that they believed related to “Legislative Responses for Policing,” but their classification scheme differs slightly from our own internal review. Overall, approximately 18% of all criminal justice-related bills were in some way related to police policies and procedures.

<sup>2</sup> “With Slow Progress On Federal Level, Police Reform Remains Patchwork Across U.S.,” Becky Sullivan, NPR.org, April 27, 2021 <https://www.npr.org/2021/04/27/990580272/with-slow-progress-on-federal-level-police-reform-remains-patchwork-across-u-s>

This bill also requires annual reporting of the training hours to the division.

### **H.B. 237 – Lethal Force Amendments**

Amends the use of deadly force statute to clarify that officers are not justified in using deadly force against an individual who is suicidal and does not pose a threat to anyone else.

### **H.B. 301 – Domestic Violence Training Amendments**

Requires the Department of Public Safety and Peace Officer Standards and Training to create a training program for law enforcement officers in recognizing domestic violence indicators, providing lethality assessments, and writing reports on incidents. This bill also directs the Division of Child and Family Services to work with the Department of Public Safety and the State Commission on Criminal and Juvenile Justice with data on domestic violence for reporting to the Legislature.

### **H.B. 334 – Special Needs Training for Law Enforcement**

Requires that peace officers have training in intervention responses to autism spectrum disorder and other mental illnesses.

### **S.B. 38 – K-9 Policy Requirements**

Amends the liability provision for dog bites relating to law enforcement activities to require certification of dogs and handlers, a written policy on the use of dogs, and compliance with the policy. This bill also enacts the Law Enforcement Canine Team Certification Act, which requires certification and training of dogs and handlers.

### **S.B. 102 – Peace Officer Training Qualifications**

Establishes qualifications for lawful residents who are non-citizens to be eligible for admission to training programs offered by Peace Officer Standards and Training.

### **S.B. 106 – Use of Force Amendments**

Requires the Peace Officer Standards and Training Council to establish statewide minimum use of force standards and consider changes to the standards based on an annual review. This bill also requires peace officers and law enforcement agencies to comply with and enforce the statewide minimum use of force standards.

## **Data and Transparency**

### **H.B. 22 – Medical Examiner Amendments**

Requires the chief medical examiner to investigate deaths resulting directly from actions of a law enforcement officer and establishes a criminal penalty for providing false information to the chief medical examiner.

### **H.B. 84 – Use of Force Reporting Requirements**

Adds use of force reports to the data required to be sent to the Bureau of Criminal Identification and specifies that the information shall be submitted in accordance with Federal Bureau of Investigation standards.

### **H.B. 264 – Law Enforcement Weapons Use Amendments**

Requires a law enforcement officer to file a report after pointing a firearm or a conductive energy device at an individual. This bill also provides procedures for submitting the report and requires supervisory review of the process.

### **S.B. 13 – Law Enforcement Internal Investigation Requirements**

Requires an employing law enforcement agency or training academy to provide information to a prospective employer upon request and requires law enforcement agencies to report certain investigations to Peace Officer Standards and Training.

### **S.B. 68 – Law Enforcement Weapons Amendments**

Creates a program within the Utah Highway Patrol to fund purchases of technology and equipment to assist law enforcement agencies in investigating officer-involved critical incidents when a firearm is involved.

### **S.B. 159 – Law Enforcement Data Management Requirements**

Requires the Utah Commission on Criminal and Juvenile Justice to assemble a panel of professionals and experts to study and make recommendations regarding the collection and management of public safety data throughout the state.

## **S.B. 196 – Law Enforcement Agency Disclosure Amendments**

Provides immunity for an employing law enforcement agency or training academy that provides information to a prospective employer upon request. This bill also provides immunity for information provided by authorized officers of law enforcement agencies to prospective employers or training academies.

## **Mental Health**

### **H.B. 25 – Mental Health Protections for First Responders**

Extends the Mental Health Protections for First Responders Workgroup for five years. The workgroup is tasked with studying ways to alleviate barriers to mental health treatment for first responders.

### **H.B. 248 – Mental Health Support Program for First Responders**

Requires the Division of Substance Abuse and Mental Health to administer a grant program to provide mental health resources for first responders.

### **S.B. 47 – Mental Health Crisis Intervention Council**

Creates the Mental Health Crisis Intervention Council, which is tasked with developing a program to train crisis intervention teams throughout the state.